



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

July 19, 2012

Ms. Julie Hutchison
Knox County Zoning Department
121 S. Prairie Street
Suite 1
Galesburg, IL 61401

Re: Jennings Setback Variance for Room Addition - Abingdon
Endangered Species Consultation Program
Project Number(s): 1217477
County: Knox

Dear Ms. Hutchison:

The Department received a submission from the county, via the Department's Ecological Compliance Assessment Tool (EcoCAT) website, regarding this project in Section 36, Township 10 North, Range 1 East for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The project, a setback variance for a room addition to a home which is located south of Knox County Highway 5~700 North, is located south of a 2010 record for a State-listed endangered **Eastern Massasauga Rattlesnake**, *Sistrurus catenatus*.

The Department has completed its review of the project and determined that the action may have an adverse impact on Eastern Massasauga Rattlesnakes in the vicinity. The U.S. Fish and Wildlife Service elevated the Eastern Massasauga to a candidate species in October 1999. To minimize these impacts, the Department recommends that the following measures be implemented by all contractors and on site personnel involved with this project and incorporated in the County's project authorization.

Recommendation #1. All on-site construction personnel involved in the project should be educated on how to recognize this species. Color photos (of adults and juveniles) and educational materials should be distributed, discussed at pre-construction meetings, and displayed at work zones. Snakes emerge and disperse from hibernation sites (usually crawfish and/or rodent burrows) in late March/early April and are active throughout their range until late October, when they return to their hibernacula.

Recommendation #2. Exclusionary, trenched silt fencing should be in place outside of the project area - where construction zone is, from early March until late October. Crews should use caution while installing fencing, to avoid taking any listed species. This fencing should be inspected on both sides on a daily basis to ensure it is functioning properly and to determine if Massasaugas (or other species) are on either side.

Recommendation #3. To avoid taking Massasaugas, the Department recommends caution when mowing grassy areas. Grass height should be maintained so that grasses do not reach more than six inches in height.

Prior to mowing, a visual inspection of areas to be mowed should be conducted by someone capable of recognizing this species. Any sightings of EMRs should be reported to IDNR.

Recommendation #4. Caution should be exercised during the application of pesticides in areas known to have listed species. Pesticides with low toxicity and a short half-life should be used when possible. If there are uncertainties regarding the potential effects of a pesticide, and application in potential Massasauga sites can't be avoided, applications should be restricted to the period when the snakes are likely to be underground (early-November through early-March).

Consultation on the part of the Department is completed. **In accordance with 17 Ill. Adm. Code 1075.40(h), the Knox County Zoning Department must notify the Department of its decision regarding these recommendations, whether they will:**

- Allow the action to proceed as originally planned;
- Require the action to be modified per Department recommendations (please specify which measures, if not all will be required); or
- Forgo the action.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resources review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected species are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this consultation review.

Cordially,



Kathi Davis
Division of Ecosystems and Environment
Impact Assessment Section
Office of Realty & Environmental Planning
217-785-5500

enclosure

cc: Michelle Simone, IDNR/Region I/Natural Heritage
Eric Smith, IDNR/Region III/Natural Heritage
Kevin Oller, IDNR/District 6/Wildlife
Mike Dreslik, Illinois Natural History Survey